

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA**
CHARLOTTESVILLE DIVISION

VIRGINIA L. NAILL,

Plaintiff,

v.

U.S. BANK, NATIONAL ASS'N,
as Trustee for RASC 2007EMX1,

Defendant.

CASE NO. 3:10-cv-00025

ORDER

JUDGE NORMAN K. MOON

By Order entered December 22, 2010, this matter was referred to Magistrate Judge Michael F. Urbanski for a settlement conference. The Court continued the trial date and suspended all pretrial requirements to allow the parties to proceed with mediation.

Magistrate Judge Urbanski conducted a settlement conference on March 22, 2011. Although no resolution was reached, the parties continue to engage in settlement negotiations and ask that this matter be continued for an additional sixty days to facilitate those discussions. The parties agree to withdraw all pending motions from the Court's docket.

As the parties appear to have made great strides towards resolution of this matter, the motion is hereby GRANTED. The trial date shall be continued generally and all pretrial requirements remain suspended. If this matter has not settled within sixty days of the date of this order, the parties shall promptly contact the Clerk of the Court, Heidi Wheeler, to schedule a new trial date.

Defendant's Motion for Judgment on the Pleadings (docket no. 10), Defendant's Motion to Dismiss (docket no. 25), and Plaintiff's Motion for Leave to File Amended Complaint (docket no. 33) are hereby DENIED as moot at this time. The parties shall have leave to re-file these

motions should they not reach a resolution of this case within sixty days.

Defendant agrees not to foreclose on the subject property during the next sixty days while settlement is pending. Additionally, Plaintiff agrees to pay for an appraisal of her second piece of property for use in settlement discussions.

The Clerk of the Court is hereby directed to send a certified copy of this Order to all counsel of record.

It is so ORDERED.

Entered this 23rd day of March, 2011.



NORMAN K. MOON
UNITED STATES DISTRICT JUDGE